

MOTOR VEHICLE SHAPED MINT AND GUM CONTAINERS

This application is a continuation-in-part of pending patent application no. 10/391748, filed March 20, 2003, which is a continuation of pending patent application no. 10/266624, filed October 9, 2002 and which claims priority to provisional application no. 60/389900 filed
5 June 20, 2002.

Field o The Invention

The field of the invention is mint and gum containers.

Background of The Invention

There are many types of containers and objects with ornamental designs. Most of
10 these containers and objects have at least some functional purpose, such as lunch boxes and candy tins. These containers can vary greatly in size and shape, as is shown in the related art.

U.S. Pat. No. Des. 343,116 issued to Reger, outlines an ornamental design for a package for confectionery products.

U.S. Pat. No. Des. 382,476 issued to Bell, outlines an ornamental design for a box for
15 candy arid nuts.

U.S. Pat. No. Des. 408,211 issued to Cordell, outlines an ornamental design for a cake pan in the shape of a car.

U.S. Pat. No. Des. 424,931 issued to Teasdale et al., outlines an ornamental design for a packaged food carton.

U.S. Pat. No. Des. 431,463 and Des. 437,219 issued to Gallart et al., outlines
20 ornamental designs for a package for confectioneries.

U.S. Pat. No. Des. 438,115 issued to Caldwell, outlines an ornamental design for a domed display lid for a decorative box.

U.S. Pat. No. Des. 460,354 issued to Goldiner et al., outlines an ornamental design of
25 a skull box.

U.S. Pat. No. 6,006,945 issued to Kirkland, outlines the use of a container structure suitable for containing non-beverage materials, such as solid or semi-solid foods or non-food items. The container structure is sized and shaped to be dispensed from a vending machine and configured for dispensing conventional drink cans. Accordingly, food items and non-food items alike may be made readily available to the public from conventional canned vending machines.

U.S. Pat. No. 6,325,211 issued to Greiner, outlines the use of a decorative container for displaying items in internal cavities and includes an inner container and an outer container, defining a hollow region therebetween. The decorative container also includes a plurality of dividers within the hollow region separating the region into a plurality of internal cavities. The outer container also includes a removable plate, configured to provide access to each of the internal cavities, so that decorative objects within the internal cavities can be easily changed or rearranged.

U.S. Pat. No. 6,328,163 issued to Coleman et al., outlines a morphing candy holding device that includes a main housing with a primary chamber and secondary chamber. The primary chamber includes an aperture through which a piece of candy secured in the primary chamber can be pushed upward for consumption by a consumer. A lower housing includes a candy stick holder in the primary chamber which pushes the candy up through the aperture for consumption. A secondary electrical circuit includes a power source, an integrated circuit and a control switch for controlling the electrical circuitry. The electrical circuitry in addition to the integrated circuit includes four LED lights which are in a series from a bottom of the secondary chamber to an upper end of the chamber. The LED lights shine through a series of transition pictures which change from one form to another form from the lower end of the secondary chamber to the upper end of the secondary chamber.

It is known to sell automobile shaped candies wrapped in foil. The "containers" in that case appear to be merely foil wrappers, and have no distinct top and bottom sections as those terms are used herein. The present inventors also believe there may exist prior art automobile or other specialty-shaped containers that are sold with a large bag of candies inside. But such combinations are not useful for mints and other candies that are typically sold as loose items inside a small mint or gum tin.

Thus, there remains a considerable need for small specialty shaped containers for holding loose, unwrapped mints or candies.

Summary of the Invention

5 The present invention provides methods and apparatus in which a container has mating top and bottom portions that define a cavity, a plurality of food pieces disposed unwrapped inside the cavity; and the container having an overall shape of a motor vehicle.

The container is preferably spray painted or coated in some other manner to enhance its appearance as a motor vehicle, and in especially preferred embodiments as a race car. Thus, the container could advantageously be coated with a substance that shows the wheels as
10 black, the body as having bright colors with logos, entrant identifying numerals and so forth.

Contemplated logos especially include racing-related company logos such as those of automobile manufacturers, engine and parts manufacturers, oil and fuel suppliers, and so forth. Containers can also have a NASCAR® or similar logo, official coloring, or other identifying symbol.

15 The cavity of the container can open in any suitable manner, but is especially contemplated to include a pivot, and additionally a quick-release mechanism that assists in opening the cavity.

The cavity preferably contains at least 25, or more preferably 50, 75 or even more pieces. Such pieces can have different colors, flavors, designations and so forth, but are
20 preferably sections of a relatively few substantially fungible choices, such as the different colors in M&Ms®. Mints are especially preferred, as are automobile shaped pieces. The mint or gum can be freely movable within the cavity, as opposed for example, to being contained within a bag, or individually sealed such as would be the case with taffy or other sticky products.

25 Various objects, features, aspects and advantages of the present invention will become more apparent from the following detailed description of preferred embodiments of the invention, along with the accompanying drawings in which like numerals represent like components.

Brief Description of The Drawings

Fig. 1 is an environmental, perspective view of a guitar embodiment of a candy and gum container, according to the present invention.

5 Fig. 2 is an exploded overhead perspective view of a guitar embodiment of a candy and gum container.

Fig. 3 is an overhead perspective view of a hinged guitar embodiment of a candy and gum container.

Fig. 4 is an exploded overhead perspective view of a racecar embodiment of a candy and gum container.

10 Fig. 4A is an exploded overhead perspective view of a second racecar embodiment of a candy and gum container.

Fig. 5 is an overhead perspective view of a hinged racecar embodiment of a candy and gum container.

15 Fig. 6 is an exploded overhead perspective view of a surfboard embodiment of a candy and gum container.

Fig. 7 is a front perspective view of a compact embodiment of a candy and gum container with an inside mirror.

Fig. 8 is an exploded overhead perspective view of a star embodiment of a candy and gum container.

20 Fig. 9 is an exploded overhead perspective view of an ice cream cone embodiment of a candy and gum container.

Fig. 10 is a front overhead perspective view of a book embodiment of a candy and gum container.

25 Fig. 11 is a front overhead perspective view of a lighter embodiment of a candy and gum I container.

Fig. 12 is an environmental, perspective view of a surfboard shaped candy and gum container depicting the quick release mechanism.

Fig. 13 is an exploded view of the surfboard shaped candy container depicting the separated top and bottom portions.

5 Fig. 14 is a side view of the surfboard shaped candy container depicting the top portion in a closed position over the top portion.

Fig. 15 is a perspective view of a race car shaped container according to the present invention, show in a closed position.

10 Fig. 16 is a perspective view of the container of Figure 15, show in an open position that displays the contained mint or gum pieces.

Detailed Description

In **Figure 1** a candy and gum container 10 has an overall shape of a guitar or guitar case, and generally comprises a top portion 20 and a bottom portion 30. The top portion 20 has a top surface 22 and sidewalls 24. The bottom portion 30 has a bottom surface 32 and
15 sidewalls 34. The top portion 20 aligns together with and closes over the bottom portion 30, forming the container 10 for holding candy C and the like. In some embodiments, for example, the top portion 20 and bottom portion 30 can also be completely separated and opened into two separate pieces that form the candy and gum container 10.

In another embodiment of the candy and gum container 10, the top portion 20 can also
20 be hinged together with a small wire hinge 45 to the bottom portion 30, allowing the candy and gum container 10 to be opened and closed as desired by the user. The candy and gum container 10 is preferably made of metal, although other suitable materials could be used. The hinged and non-hinged candy and gum containers 10 are structurally identical, except for the hinge 45 being added to the hinged candy and gum container 10. Both candy and gum
25 containers are shown in **Figure 2** and **Figure 3**, respectively.

Figure 4 depicts an additional embodiment in the shape of a racecar 50. As in figures 1-3, container 50 comprises a top portion 60 and a bottom portion 70, the top portion 60 having a top surface 62 with sidewalls 64 on the perimeter of the top surface 62. The bottom

portion 70 has a bottom surface 72 with sidewalls 74 on the perimeter of the bottom surface 72. This candy and gum container 50 can have a separate top portion 60 and a separate bottom portion 70 or have the top portion 60 hinged to the bottom portion 70 with a small wire hinge 85, as shown in **Figure 5**.

5 **Figure 4A** depicts an additional embodiment of a stylized racecar tin 350. The stylized racecar 350 comprises a top portion 360 having a top surface 362 and a bottom portion 370 having a bottom surface 372. The top portion includes a front windshield 364, a rear window 368 and two side windows 366. A back bumper portion 369 is included on the top portion. The bottom portion further comprises a plurality of wheel portions 376 and fin
10 374. The term "tin" is used herein as a euphemism to include all thin walled small metal containers, regardless of whether they actually comprise tin.

Figure 6 depicts yet an additional embodiment, one that is in the shape of a surfboard 90. Like the previously described embodiments, this container 90 comprises a top portion 100 and a bottom portion 110, the top portion 100 having a top surface 102 and sidewalls 104 on
15 the perimeter of the top surface 102 and the bottom portion 110 having a bottom surface 112 and sidewalls 114 on the perimeter of the bottom surface 112.

Figure 7 depicts an additional embodiment, one that is in the shape of a rhombohedron 120. Once again, this container 120 comprises a top portion 130 and a bottom portion 140, the top portion 130 having a top surface 132 and sidewalls 134 on the perimeter
20 of the top surface 132 and the bottom portion 140 having a bottom surface 142 and sidewalls 144 on the perimeter of the bottom surface 142.

Figure 8 depicts yet another embodiment, one that is in the shape of a star 170. Container 170 comprises a top portion 180 and a bottom portion 190, the top portion 180 having a top surface 182 and sidewalls 184 on the perimeter of the top surface 182 and the
25 bottom portion 190 having a bottom surface 192 and sidewalls 194 on the perimeter of the bottom surface 192.

Figure 9 depicts yet another embodiment, one having the overall shape of an ice cream cone 200. Container 200 comprises a top portion 210 and a bottom portion 220, the top portion 210 having a top surface 212 and sidewalls 214 on the perimeter of the top surface

212 and the bottom portion 220 having a bottom surface 222 and sidewalls 224 on the perimeter of the bottom surface 222.

5 **Figure 10** depicts yet another embodiment, one having the overall shape of a book 230. Container 230 comprises a top portion 240 and a bottom portion 250, the top portion 240 having a top surface 242 and sidewalls 244 on the perimeter of the top surface 242 and the bottom portion 250 having a bottom surface 252 and sidewalls 254 on the perimeter of the bottom surface 252.

10 **Figure 11** depicts yet another embodiment, one having the overall shape of a cigarette lighter container 270. Container 270 is comprised of a top portion 280 and a bottom portion 290 coupled at hinges 300; the top portion 280 having a top surface 282 and sidewalls 284 on the perimeter of the top surface 282 and the bottom portion 290 having a bottom surface 292 and sidewalls 294 on the perimeter of the bottom surface 292.

15 In each of Figures 1-11 the top portions align with and close over the corresponding bottom portions to form a cavity within the container. The top and bottom portions can be completely separable, or can alternatively be pivotally coupled, such as with a small wire hinges.

20 **Figure 12** depicts yet another embodiment, one having an overall shape of a surfboard. Container 90 comprises a quick release mechanism 101. The quick release mechanism 101 is located on the top surface of the candy and gum container 90. In the preferred embodiment depicted in Fig. 12 the quick release mechanism is a press-to-open button. The quick release mechanism, however, is not limited in this manner and may be any quick release mechanism known to those in the field. The container depicted in Fig. 12 is the surfboard container 90, however, the quick release mechanism may be applied to any of the other embodiments disclosed herein.

25 **Figure 13** depicts an exploded view of the container 90 of Figure 12, showing a top portion 102 and a bottom portion 110. The top portion 102 has a miniature surfboard 110, sides 104, and bottom rim 103. The bottom portion 110 has an upper rim 105, side walls 114 and bottom rim 112.

Figure 14 depicts the top portion 100 of container 90 in a closed position over the bottom portion 110. In the closed position the top lip 103 slides over the bottom lip 105 and secures the top portion 100 over the bottom portion 110. The quick release mechanism 101 provides a means for easily releasing the top portion 100 from the bottom portion 110. When a force is applied to the quick release mechanism 101 the top lip 103 is released and slides back over the bottom lip 105. This releases the top portion 100 of the container 90 from the bottom portion 110.

In **Figure 15** a container 400 generally comprises a top section 410, a bottom section 420 and a hinge 430. The top 410 and bottom 420 sections mate to define a cavity 440 that contains a plurality of unwrapped food pieces 450 (best seen in Figure 16).

Container 400 has the overall shape of a motor vehicle. In the particular example of Figure 1 the overall motor vehicle shape is established by the presence of visually recognizable wheels 411, doors 412, hood 413, roof 414, trunk 415, and windows 416. Naturally, a reasonable person would never confuse the container with a real automobile, among other things because of the lack of functionality, differences in size, and so forth. The wheels 411 are merely representations of wheels, are not separate components, and do not turn. Similarly the doors 412, hood 413, trunk 415, and windows 416 do not even open. But these distinctions do not preclude the container 400 from having the overall shape of a motor vehicle.

The top 410 and bottom 420 sections are preferably hard, and have a fixed shape. Suitable materials for these sections are tin, aluminum, steel or other metal or alloy, hard plastics and the like. Alternatively, pliable materials could be used, such as a flexible plastic. Of course multiple different materials could be used to manufacture the top and bottom sections, rather than a single material, but the use of multiple materials may be undesirable from a cost standpoint. Preferred containers such as container 400 are small, which in this application means that they would fit comfortably into a pants pocket. In numeric terms, that would generally mean having a volume of less than 50 cc, more preferably less than 30 cc, and even more preferably less than 20 cc.

Suitable containers are preferably spray painted or coated in some other manner to enhance its appearance as a motor vehicle. The coating can be applied directly to the outside

of the container, or be printed on a shrink wrap or other material and applied indirectly to the container. In especially preferred embodiments the container is coated to look like a race car. Thus, the container could advantageously be coated with a substance that shows the wheels as black, the body as having bright colors with logos, entrant identifying numerals and so forth.

5 Contemplated logos 417 include especially racing-related company logos such as those of automobile manufacturers, engine and parts manufacturers, oil and fuel suppliers, and so forth. Containers can also have a NASCAR® or similar logo, official coloring, or other identifying symbol. Container 400 also has one or more numerals 418, which along with colored car body sections and other indicia 417, are intended to replicate that which
10 might be seen in actual race cars.

 In Figure 16, the cavity 440 of the container 400 can open in any suitable manner, but is especially contemplated to be opened by pivoting the top and bottom sections 410, 420 at a hinge 430 or other pivot. Independently, preferred embodiments can optionally also include a push button or other quick-release mechanism 462 that assists in opening the cavity 440.

15 The cavity 440 preferably contains at least 25, or more preferably at least 50, at least 75 or even more pieces 450 of mint or gums. Contemplated pieces 450 can be entirely fungible, such as substantially identical mints, or alternatively different ones of the pieces 450 have different colors, flavors, designations and so forth, while still comprising sections of a relatively few substantially fungible choices, such as the different colors in M&Ms®. Pieces
20 450 are advantageously shaped in a generalized automobile shape, and optionally also include a numeral 452, which can further imply a racing car connection. The mint or gum can be freely movable within the cavity 440, as opposed for example, to being contained within a bag, or individually wrapped such as would be the case with taffy or other sticky products. Because of the similarities of function involved, the term "wrapped" is used herein to include
25 instances in which the candies are contained within a bag, which is then placed inside the cavity. Thus, the individual candy pieces in a bag of M&Ms™ which is disposed within a cavity are said to be wrapped within the cavity.

 Cavity 440 can be unitary, or alternatively can be divided in any suitable manner. Thus, a single cavity 440 can be subdivided in some manner, or can be formed as multiple
30 cavities (not shown). Cavity 440 can optionally be lined in any suitable manner, such as with

a sheath 460, which lies under, to the side of, and above the pieces 440. Sheath 460 is preferably a wax or other impregnated paper that absorbs little or no moisture or mint or gum material.

5 All embodiments can be constructed of metal and are small enough to be easily stored in a pants pocket. The guitar embodiment of the candy and gum container 10 is preferably approximately 113 mm long, 68 mm wide at its widest point and 13 mm deep. The racecar
embodiments of the candy and gum container 50, 400 are preferably approximately 62 mm long, 40 mm wide, (with rounded corners) and 13 mm deep. The surfboard embodiment of
10 the candy and gum container 90 is preferably approximately 3.5" long, 1.25" wide and 0.625" deep. The rectangular embodiment of the candy and gum container 120 and the book
embodiment of the candy and gum container 230 is preferably approximately 2.375" long, 1.625" wide and 0.625" deep. The star embodiment of the candy and gum container 170 is
preferably approximately 2.5" in diameter and 1.0" deep. The ice cream cone embodiment of
the candy and gum container 200 is preferably approximately 3.0" long, 1.5" wide at its
15 widest point and 0.625" deep. The lighter embodiment of the candy and gum container 270 is preferably approximately 2.75" long, 1.5" wide and .50" deep.

Related methods should be apparent from the discussion herein. For example, the
inventors contemplate methods of manufacturing and/or marketing mints and other candies,
which include the steps of (a) providing a container having distinct top and bottom sections,
20 matingly engageable to define a cavity and have an overall shape of an automobile or other
motor vehicle; and (b) inserting a plurality of unwrapped food pieces inside the cavity.
Contemplated food pieces are mint and gums. The count of food pieces can be any suitable
number, such as at least 25 or at least 50. While remaining unwrapped, the food pieces can
be separated from the inside walls of the container by insertion of a sheath into the cavity
25 before the candies are added. Additional desirable steps would include painting or otherwise
coating the container with one or more colored images that enhance the motor vehicle
appearance of the container. For example, a manufacturer or distributor may affix, apply, or
otherwise provide the outer portion of the container with a racing-related company logo, such
as a logo of an automobile company, an oil or fuel company, or the NASCAR® logo. A
30 manufacturer or distributor may additionally or alternatively affix, apply, or otherwise
provide the outer portion of the container with a numeral which in real life would signify the

number of an entrant in a race. Still further, a manufacturer or distributor may advantageously provide a hinge or other pivot that couples the top piece and the bottom piece.

Thus, specific embodiments and applications of motor vehicle shaped mint and gum containers have been disclosed. It should be apparent, however, to those skilled in the art that
5 many more modifications besides those already described are possible without departing from the inventive concepts herein. The inventive subject matter, therefore, is not to be restricted except in the spirit of the appended claims.